

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, and Ed Sisson, along with City Manager Joe Kerby. Absent were Councilmember Guy Pfalzgraff and City Attorney Michael Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

There were none.

**Minutes**

It was moved by Councilmember Sisson and seconded by Councilmember Jurca to approve the minutes of October 4, 2011 as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

The following individuals commented on animal control within the City of Delta:

- Fran Goetz, 1053 Grand Avenue, Delta.
- Debbie Faulkner, 42528 Needle Rock Road, Crawford.
- Chris Miller, 245 Columbia Street, Delta.

Ms. Miller also invited Council to the Delta County Volunteer Recognition.

Fran Goetz at 1053 Grand Avenue, Delta, commented on animal control and the animal shelter.

Linda Tibbits, 21334 H75 Road, Delta, commented on the lights at the horse country arena.

**Tri County Water Authority Service Agreement**

Utilities Director Steve Glammeyer reported that staff has been working on a service agreement with Tri County Water since April of 2010. The last agreement expired on April 1, 2010. This agreement sets forth the boundary whereby the City will be able to acquire existing Tri County water customers and expand and serve new customers and developments as they become available within the next 15 years.

Mr. Glammeyer explained the process of how the area was identified. He stated the Board of Directors of Tri County has seen the agreement and the map, they have agreed with what has been presented.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to enter into a new service area agreement with Tri County Water Authority and authorize the Mayor to sign said agreement. All in favor, motion carried.

**Council Bill #3, 2011; First Reading**  
**Vacation of 6<sup>th</sup> & 7<sup>th</sup> Streets**

Council Bill #3, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
VACATING SEGMENTS OF SIXTH AND SEVENTH STREETS,  
AND ALSO CONNECTING ALLEYWAYS, ALL OF WHICH  
TRAVEL AREAS LIE BETWEEN THE WEST LINE OF SILVER  
STREET AND THE EAST LINE OF THE UNION PACIFIC  
RAILROAD RIGHT OF WAY IN THE CITY LIMITS

was read by the Clerk.

Public Works Director Jim Hatheway stated that this is part of the contract with Producers Coop. As agreed to the contract this would be brought before Council's approval to vacate Sixth and Seventh Street as stated. The City is reserving the right of ways for utilities which is standard protocol.

**Regular Meeting, Delta City Council, October 18, 2011 (Cont.)**

**Council Bill #3, 2011; First Reading (cont.)**

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to adopt Council Bill #3, 2011, on first reading. Roll call vote: Councilmembers Jurca, aye; Sisson, aye; Raley, aye; and Cooper, aye. Motion carried.

**Council Bill #4, 2011; First Reading  
New Zoning Ordinance**

Council Bill #4, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
DELETING AND AMENDING VARIOUS PROVISIONS OF  
TITLES 17 AND 8 OF THE DELTA MUNICIPAL CODE IN  
ORDER TO ELIMINATE THE B-4, I-1 AND 1-2 ZONING  
DISTRICTS AND RE-CLASSIFY THE AFFECTED AREAS  
WITHIN NEW OR OTHER EXISTING ZONING DISTRICTS

was read by the Clerk.

Community Development Director Glen Black reported this would be eliminating the B-4, I-1 and I-2 districts. He explained that the B-4 district will be moved into the B-2 District and combining the I-1 and I-2 District into a new I District.

Mr. Black stated that the Planning Commission held a Public Hearing at their October 3, 2011. The recommendations that Planning Commission submitted are within this ordinance and recommends approval.

Mr. Black presented a power point presentation showing the changes. During his presentation he stated there is an error on page 2 at the top. It should read as 17.04.150 not 17.04.160.

Councilmember Jurca questioned how much feedback was received from the public.

Director Black reported that there was one individual that was concerned about the old Gofer Foods store on Riley Lane. There were a number of people that came for the industrial changes. Their concerns were regarding the 100 foot setback, screening and the nuisances. Mr. Black explained that these changes actually help some of these individuals come into compliance.

Mayor Cooper stated that she was contacted by one individual asking what is happening. She reported that this is just cleaning up the code.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to adopt Council Bill #4, 2011 with the correction as noted on first reading. Roll call vote: Councilmembers Jurca, aye; Sisson aye; Raley aye; and Cooper aye.

**Proclamation; Hospice and Palliative Care Month**

The Mayor read the Proclamation.

**Proclamation; Conflict Resolution Month**

Mayor Cooper read the Proclamation.

**City Attorney Comments**

There were none.

**City Manager Comments**

Manager Kerby presented the following items:

- River corridor project; Delta County has submitted concept papers to GOCO.
- Fall cleanup starts October 24, 2011.
- CML District 10 meeting tomorrow evening at Rec Center.
- Staff has started the process for the Performance Contracting.

**Regular Meeting, Delta City Council, October 18, 2011 (Cont.)**

**City Manager Comments (cont.)**

- DCED and the Community Revitalization communities will be hosted a forum on October 27<sup>th</sup> at 5:30pm. There will be an updated regarding Confluence Drive presented that evening.
- The Parks Department is working on the off-leash dog park.

**Councilmember Comments**

Mayor Cooper reported that she attended the CML legislative committee meeting in Denver. They discussed items that municipalities would like to see CML sponsor.

**Executive Session**

It was moved by Councilmember Sisson and seconded by Councilmember Jurca to convene an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically for instructing negotiators on aspects of Confluence Drive project issues. All in favor, motion carried.

At 7:32 p.m., Mayor Cooper recessed the Regular Meeting and convened the Executive Session.

At 8:15 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Councilmembers Ed Sisson, Bill Raley, and Robert Jurca; along with City Manager Joe Kerby, Public Works Director Jim Hatheway and Brad Rodenberg. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was immediately adjourned.

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Jolene E. Nelson, City Clerk